

15. (Amended) A method for facilitating a purchase of an item associated with audio and visual content material, the process comprising:

receiving the content material simultaneously with an identifier of the item,

rendering the content material,

allowing an impulse purchase to be made by receiving a buy command at a time that is coincident with a time interval associated with the rendering of the content material so that a purchase can be made during review of the content material,

creating at least one purchase request that includes the identifier of the item in response to the buy command,

storing the at least one purchase request for subsequent purchase of the item, and

communicating the purchase request to a provider of the item.

### **REMARKS**

Reconsideration of all grounds of rejection set forth in the Office Action and a Notice of Allowance are respectfully requested in light of the above amendments and the following remarks.

#### **Summary of the Rejections:**

- (1) Claims 1, 2, 4, 5, 6, 7, 11, 12, 14-16, 19 and 20 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Michael T. Daly et al. (U.S. 5,878,141 hereafter "Daly") and John R. Anderson (U.S. 5,991,601 hereafter "Anderson").
- (2) Claim 3 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Daly as applied to claim 1, and further in view of Anderson.

(3) Claims 8-10, 17 and 18 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Daly as applied to claims 1, 7, 12 and 15, and further in view of Anderson and Mankovitz (U.S. 5,949,492 hereafter "Mankovitz").

**Applicants' Position:**

Support for the changes made to claims 1, 7 and 15 can be found at least at page 4, lines 15-10, and page 7, lines 14-18.

In the presently claimed invention, claim 1, for example, has been amended to recite:

a content access device that is configured to receive content material *simultaneously with* an item identifier associated with the content material from a provider, and

a purchase request processor, operably coupled to the content access device and an input device, that is configured to receive a purchase request from the input device and the item identifier *directly* from the content access device, and produces therefrom a processed purchase request

It is respectfully submitted that none of the references, neither Daly nor Anderson, Daly in combination with Mankovitz, and/or Anderson in view of Daly and Mankovitz disclose or teach the claimed structure and method as presently claimed.

In this regard, Daly discloses an interactive television system that operates in two modes: a program mode where a television displays selected television programs and a sales mode where the television displays a user interface which facilitates the purchase of goods and/or services (see col. 4, line 60, to col. 5, line 2). Nothing has been found in Daly that teaches or suggests a content access device that is configured to receive content

material simultaneously with an item identifier associated with the content material from a provider.

Anderson discloses an electronic system having a home station and a remote device. The remote device may receive a radio signal. The frequency of the radio signal may be manually entered into the remote device and transmitted to the home station. Nothing has been bound in Anderson that teaches or suggests a content access device that is configured to receive content material simultaneously with an item identifier associated with the content material from a provider and that a purchase request processor receives a purchase request from the input device and the item identifier directly from the content access device.

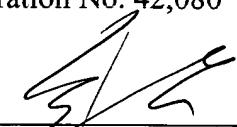
It is also noted that Claims 7 and 15 have been amended to recite audio and visual content material. The second embodiment/aspect of Anderson only refers to a radio signal.

Reconsideration and withdrawal of all grounds of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: May 23, 2003

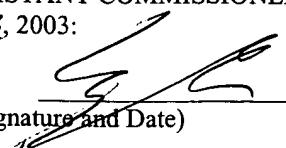
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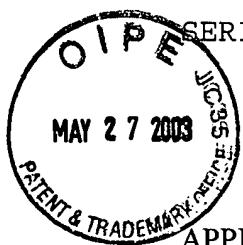
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SERIAL NO.: 09/498,261

Docket US 000036

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Nicholas J. MANJOVICH et al.

SERIAL NO.: 09/498,261

EXAMINER: Abdi KAMBIZ

FILED: February 3, 2000

ART UNIT: 3621

FOR: METHOD AND SYSTEM FOR PURCHASING CONTENT  
RELATED MATERIALS

**MARKED VERSION SHOWING CHANGES MADE**

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Office Action mailed February 27, 2003, please amend the above-identified application as follows:

**IN THE CLAIMS:**

**Please amend the following claims:**

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1. (Amended) A receiving system comprising:

a content access device that is configured to receive content material and  
simultaneously with an item identifier associated with the content material from a provider, and

a purchase request processor, operably coupled to the content access device and an input device, that is configured to receive a purchase request from the input device

and the item identifier directly from the content access device, and produces therefrom a processed purchase request,

a rendering device, operably coupled to the content access device, that is configured to render the content material;

the input device including a purchase request buffer for ~~impulse purchasing~~ that allows a purchase request to be made during a same time that the rendering device is rendering content material by storing at least one purchase request and the item identifier to facilitate a purchase of an item corresponding to the item identifier subsequent to the rendering device rendering the content material, and

wherein the content access device is further configured to communicate the processed purchase request to the provider.

7. (Amended) A portable device comprising:

a broadcast receiver that is configured to receive audio and visual content material ~~and simultaneously~~ with an item identifier associated with the content material from a broadcast source,

a rendering device that is configured to render the content material, and a purchase request buffer for ~~impulse purchasing~~ that allows a purchase request to be made during a same time that the rendering device is rendering content material, said purchase request buffer being ~~that is~~ configured to store at least one purchase request and the item identifier to facilitate a purchase of an item corresponding to the item identifier subsequent to the rendering device rendering the content material.

15. (Amended) A method for facilitating a purchase of an item associated with audio and visual content material, the process comprising:

receiving the content material and simultaneously with an identifier of the item,  
rendering the content material,  
allowing an impulse purchase to be made by receiving a buy command at a time  
that is coincident with a time interval associated with the rendering of the content  
material so that a purchase can be made during review of the content material,  
creating at least one purchase request that includes the identifier of the item in  
response to the buy command,  
storing the at least one purchase request for subsequent purchase of the item, and  
communicating the purchase request to a provider of the item.